

19 MAR 1962

PERSONAL

[Redacted]

Dear Mr. [Redacted]

This will acknowledge your memorandum of 1 March 1962 appealing the decision to terminate your employment under HR [Redacted]

A careful review has been made of your case, including your contention that the provisions of HR [Redacted] have been improperly used to enforce the policy of encouraging retirement at age 62. This review has produced no basis for reversing the decision. Specifically, your age was considered only as one factor limiting both your ability to acquire fresh operational experience needed in OTR and the Agency's ability to place you elsewhere.

I therefore regret to inform you that I must deny your appeal.

Sincerely yours,

(Signed) JOHN A. McCONE
John A. McCONE

cc: Director of Personnel

O/IG/[Redacted] mes (13 March 1962)

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SECRET

ER 62-1520/1

March
14 FEB 1962

MEMORANDUM FOR: Director of Central Intelligence

SUBJECT : [] - Appeal from
Termination Under HR []

1. Attached is a memorandum in which [], a GS-13 employee of the Office of Training, appeals to the Director his selection for termination as surplus under HR []. In this appeal, as amplified in interviews with me, Mr. [] makes two chief claims:

- a. That he is not in fact surplus, since another employee will replace him in OTR, and
- b. That provisions of HR [] are being improperly used to enforce the Agency's policy of encouraging retirement at age 62.

2. Mr. [] is 64 and a veteran of both world wars and the Korean conflict. Between World Wars I and II he taught [] at the University of [] and between World War II and Korea he held editorial positions in several Government agencies. His military service has consisted chiefly of editorial or historical work. He joined this Agency in 1951 as an editor of NIS material and since 1953 he has taught in OTR. His fitness reports as a teacher have been good, but he has no substantive experience in the DD/I area and no operational experience here or abroad.

SECRET

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25X1 3. In view of Mr. [] excellent record and apparent vigor, I was especially concerned by his contention that he had been declared surplus only because of age. I therefore reviewed his case carefully and talked with, among others, the Acting Director of Training and the chief of the Intelligence Orientation School. On the basis of this review it appears that:

- 25X1 a. Mr. [] is surplus. His competence is limited to a narrow field, and even here his slight practical experience is outdated. His successor is providing broad and fresh operational experience and not just replacing him.
- 25X1 b. At no time was Mr. [] threatened with termination as surplus if he did not retire at 62. Mr. [] himself admits that this charge is based on his own inferences only. 25X1
- 25X1 c. Mr. [] age was considered only insofar as it limited his ability to acquire broader current experience by rotation to other components. In this respect, his age was only one of several limiting factors.

25X1 4. I therefore recommend that you sign the attached letter denying Mr. [] appeal.

25X1 []
Acting Inspector General

cc: Director of Personnel

Attachments:

25X1 Mr. [] letter to
the Director
25X1 Memo to Mr. [] from
the Director

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EX-62, 245-1

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Office Memorandum • UNITED STATES GOVERNMENT

TO : Inspector General

DATE: 1 March 1962

FROM :

SUBJECT: Memorandum of Transmittal

Attached is an appeal from a decision made under HR to
discharge me on 30 March 1962. Notification of this decision was
given me on 28 February 1962.

25X1

25X1

1 March 1962

TO : The Director of Central Intelligence

FROM : [REDACTED]

SUBJECT: Appeal under HR [REDACTED]

1. I am entering the following objections to my discharge under HR [REDACTED]

a. There is no apparent surplus in my job category, that of instructor.

On 25 October, the Intelligence Orientation Faculty had three active members and one vacant slot. As late as 13 October 1961, a memo from the DTR to the DDS had a paragraph within it stating that the Intelligence Orientation Faculty needed four active members in order to perform its duties.

On 25 October 1961, Mr. [REDACTED] served me with a notice of my discharge under HR [REDACTED]

On 5 November 1961, a member of the DDP reported on board as my replacement and was assigned to the vacant slot. He was without teaching experience.

b. My discharge under [REDACTED] will not truly reduce slots or bodies within the Office of Training.

Upon my departure, my replacement will carry on my duties from the slot in which he is now assigned. The status of the Intelligence Orientation Faculty will be precisely what it was on 25 October when I was notified of my impending discharge under HR [REDACTED]

c. To use reduction in force procedures to enforce what is called an optional or voluntary system of retirement will embarrass the Agency. Both the Director of Personnel and his Deputy have publicly stated that the retirement program

- 2 -

is entirely voluntary. If the Agency now discharges me by reduction in force procedures after I have refused to request retirement, the good faith of CIA will be seriously impugned in the eyes of its employees and eventually in the eyes of the public.

25X1 d. To use HR [] to enforce compliance with the voluntary retirement program will violate the rights granted to employees of CIA by its regulations: i.e., 25X1 HR [] revised 21 August 1959, that provides that Agency employees will participate in the Civil Service Retirement system, and HB [] which states that retirement is mandatory at age 70 after fifteen years of creditable service. 25X1

e. The threat or use of HR [] to enforce the voluntary retirement program may well offer to any person of 62 an agreeable alternative to a hypocritical gesture. If this alternative should be generally preferred, the Agency would be in the equivocal position of having to reduce slots or of acknowledging that it has no right to force the retirement of its employees at 62. 25X1

2. I should like to repeat here what I have written before: That there is no general objection within the Agency to a retirement program at 62; there is vigorous objection to the present program as discriminatory, arbitrary, and illegal. This attitude will be strengthened by the threat to use or the use of HR [] as enforcement. We believe that it is entirely possible to provide for Agency employees at 62 a method of retirement that will maintain the prestige of the Agency and yet permit the employee to retire without losing his self-respect. 25X1

[] 25X1

Mr. E -

Mr. estimated annuity is \$4033. If he elects to take survivor benefits, however, the annuity would be \$3810, and his survivor would receive \$2016.

25X1